



THE CITY OF NEW YORK
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November 7, 2024

BY E.C.F.

Honorable Jennifer L. Rochon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Anees Hasnain, et al. v. City of New York, et al., 24-CV-6221 (JLR)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, representing defendant City of New York in this matter. Defendant City of New York writes to respectfully request that the Court grant an extension of time for the City to answer, or otherwise respond to, the Complaint, from November 8, 2024 to December 9, 2024. Counsel for plaintiff, Remy Green, Esq., consents to this request. This is the City of New York's first request for an extension of time to answer, or otherwise respond to, the Complaint.

By way of background, plaintiffs allege that they were falsely arrested and subjected to excessive force on September 13, 2021. On August 18, 2024, the Court designated this case to participate under Local Rule 83.10 (the "Plan"). See ECF Entry, Notice August 18, 2024. Defendant City received unsealing releases from plaintiffs on August 20, 2024, and therefore, the deadline to answer or otherwise respond to the Complaint is November 8, 2024. A review of the docket further indicates that individually named defendants Allyson Echavarria and Nicholas Albergo were served on August 22, 2024 and August 21, 2024, respectively. Thus, pursuant to the Plan, their responses are also due on November 8, 2024. Upon information and belief, the remaining individually named defendants Freddy Suazo, Gianfranco Rubino, Benjamin Beiro, Robert Livingston, Angel Amaya, Jason Castillo, Nicholas Noto, Nicholas Blake, Johnny Solorzano and Diana Schutz have not yet been served, and defendants are in the process of providing the service addresses of these defendants to plaintiffs.

The requested extension of time is necessary to allow this Office additional time to investigate the allegations in the Complaint in accordance with its obligations under Rule 11(b) of the Federal Rules of Civil Procedure. The additional requested time should permit this Office time to collect still outstanding records from the NYPD and medical providers in order to assess the claims and properly respond to the Complaint.

Pursuant to Section 50-k of the New York General Municipal Law, this Office must also determine, based on our investigation and a review of the case, whether we may represent the individually named officers, and they must then decide whether they wish to be represented by this Office. See Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)). If so, we must obtain their written authorizations. Only after this procedure has been followed can we determine how to proceed in this case. However, this Office is still waiting for necessary, additional documentation before it can complete this process.

For the foregoing reasons, defendant City respectfully requests, with plaintiffs' consent, that the Court grant an extension of time to answer or otherwise respond to the Complaint in this matter, from November 8, 2024 to December 9, 2024. Defendant City also respectfully requests that the Court grant a corresponding extension of time for individually named defendants Allyson Echavarria and Nicholas Albergo to answer or otherwise respond to the Complaint.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Joseph M. Hiraoka, Jr.

Joseph M. Hiraoka, Jr.

Senior Counsel

Special Federal Litigation Division

cc: **By E.C.F.**
All Counsel of Record